

State Council on Workforce Services
14 January 2004
Salt Lake City, Utah
1:00 p.m.

Attendees: Monteen Gordon, Randy Emery, Raylene Ireland, Don Uchida, Kristie McMullin, Mark Raymond, Shawn Potter, Robert Haywood, Pamela Clark, Allan Ayoub, Susan McAllister, Stan Lockhart, Linda Walton, Bill Crim, Frank Maughan, Evan Maxfield, Ken Walker, Jan Zogmaister, Barbara Vail, Susan Lindberg, Sarah Brenna, Robin Arnold-Williams, Jane Reister-Conard, Paul Jackson, Dave Ostrom, Melissa Finch, Jon Pierpont, Jolyn LeFevre, Andrea Sutton, Carolyn Parsons, Harold Hess, Rickie Bryan, Mieken Matthes, Diane Lovell, Richard Winters, Susan Hill, Julie Lay, Jane Broadhead, Helen Thatcher, Connie Laws, Rick Little, Lynette Rasmussen, Patrice Spiegel, Karen Silver, Mike Richardson, Steve Cuthbert, James Whitaker, Darin Brush, Tom Daraïs, Coyan Lewis, Kim Auburger, Wayne Griffin, Bob Gilbert, Jan Thompson, Kerry Terry, Lorna O'Berto, Pattie Hansen, Roger Halladay, Barbara Darling-Peterson, Kathleen Alder, John Nixon, Ron Ahlstrom, Judy Chambley, David Harmer, Kevin Beutler, Chris Love

Welcome and Opening Business - Randy Emery

Randy called the meeting to order and welcomed the group. He introduced Barbara Vail, Federal Project Officer from the Employment Training Administration of the Department of Labor and Robin Arnold-Williams, Executive Director of the Department of Human Services, James Whitaker, new Deputy Director of the Department of Workforce Services, Steve Cuthbert, new Assistant Deputy Director of the Department of Workforce Services, Jon Pierpont, new Central Region Director of the Department of Workforce Services and Yvette Woodland, Manager of the Downtown Employment Center.

Yvette welcomed the group to the Downtown Employment Center. She thanked Trudy Ellis and Mary Gehman for coordinating the facilities for today's meeting. Randy reported that the Downtown Employment Center houses the HEAT program and serves many of the homeless population.

Consent Agenda Action Items - Randy Emery

Randy called for approval of the Consent Agenda. He added that the training providers have all been approved at the regional level. Frank Maughan motioned to approve the consent agenda action items, Kristie McMullen seconded the motion and the motion carried.

B.O.R.N. Healthcare Awards - Randy Emery

Randy reported that the B.O.R.N. initiative is a partnership between the Department of Workforce Services (DWS), the Hospital Corporation of America (HCA) and Salt Lake Community College (SLCC). Twenty students will begin an RN program today and complete by December 2005. Randy presented plaques from the State Council to Betty Damask-Bembenek from HCA and Susan Lindburg from SLCC who have provided resources for the program. Raylene Ireland acknowledged Darin Brush and Lynn Purdin for the success of this project.

Executive Director's Report - Raylene Ireland

Raylene introduced Robin Arnold-Williams, Executive Director of the Department of Human Services (DHS). Robin reported that the Department of Human Services, the Department of Workforce Services, the Department of Health, the State office of Education, Higher Education and other agencies are partnering on the *Transition to Adulthood* initiative (where children transition from foster care or state custody to adulthood) that Governor Walker has labeled one of her priorities. Utah's focus is securing safety for children. Federal funding is available through grants and DHS has committed additional funds for this project. Robin reported that the average length of stay in foster care for Utah children is less than 12 months. About 940 of these children are older (between 14-18) and will age out of the system without ever being adopted. About 220 are receiving services right now. Governor Walker invited these kids to meet with her and develop a plan that will improve their future.

Raylene Ireland reported on Governor Walker's Work Plan. The Governor is close to DWS and used the roll out of *Utah Cares* as one of her first activities. Raylene continued that DWS is preparing for the upcoming legislative session. She met with the Governor's Sub-Cabinet this morning. Another lean year is anticipated. Issues such as parental rights and the workers' compensation fund are priority.

Legislative Update - Sarah Brenna

Sarah reported that on the Federal level, we are under a continuing resolution on TANF with child care issues the priority. She continued that this year's DWS legislative agenda includes:

- 35A-4-305. Collection on contributions-Unpaid contributions to bear interest

- 35A-4-309. Nonprofit organizations-contributions-payments in lieu of contributions
- 35A-4-405. Ineligibility for Benefits
- 78-23-10. Allowable claims against exempt property
- 35-A-4-401. Benefits-Weekly benefit amount-computation of benefits-Department to prescribe rules-Notification of benefits-Bonuses

Sarah is available if anyone has questions.

Workforce Investment Act's Equal Opportunity Provisions Compliance - Carolyn Parsons

Carolyn reported that the Workforce Investment Act (WIA) requires DWS to have an Equal Opportunity (EO) Officer within the Department. This officer is assigned to the Office of Quality and Internal Auditing, but has direct access to the Executive Director for EO related matters. Her role is to investigate complaints by job seekers, employees, and customers, and to provide information and education relative to discrimination and equal opportunity. Training providers such as SLCC and UVSC, as well as On-the-Job-Training contractors and employers who participate in employment exchange activities with DWS fall under the authority of this Act. The majority of the complaints received are against employers we serve through employment exchange activities. While DWS does not have legal jurisdiction over the employers, there is a responsibility to investigate the complaints from a liability and customer service standpoint. Most complaints are due to lack of education or misunderstanding either on the part of the employer or the job seeker/employee. The most severe sanction that DWS can impose is to discontinue services with an employer. Sanctions against a training provider may include contacting the Department of Labor Civil Rights Center, and removal from the approved training provider list. Carolyn stated that either the DWS Business Consultants or the Labor Commission could provide training for employers. There are also private companies who can provide training. Monteen added that one of the mandates of the Act is for the EO Officer to educate the Regional Councils. She would like the council chairs to contact her and set a date. Her email address is cparsons@utah.gov. Jane Reister Conard stated that she has had accessibility inquiries and would like "reasonable accommodation" defined. She feels that this should be part of the training. Carolyn stated that

interpreters and visual aids are some examples of reasonable accommodation, and that as the Department's ADA Officer for customers, she will gladly discuss this subject in the training sessions. Raylene stated that many times these notifications can be unpleasant yet Carolyn always handles with grace and professionalism.

Youth Council Report - Jan Zogmaister

Jan reported that in today's meeting, Barbara Thompson from the Department of Human Services discussed *Transition to Adulthood*. The group feels a pathway should be developed to continue this effort. As these youth move into the *Out-of-School* population, all regions need to reach out to them. Jan continued that the Youth Council has received their budget information and are on target. Tom Darias reported on the *Going Home* grant, which has proved to be successful. The group believes the key to success for this youth is training and employment. If they can attain this, they normally flourish. Jan continued that the State Youth Council newsletter has continued to grow. They were given the task to develop a Request for Procurement (RFP) boilerplate, which is now complete. They can't progress with this RFP until WIA reauthorization is approved.

Cultural Integration Advisory Council (CIAC) - Barbara Darling-Peterson

Barbara read a report from Dave Pierce, who asked to be excused. One year ago, CIAC partnered with Granite School District to provide valuable data for helping Utah employers succeed and gain strength from their ethnically diverse workforces. Their 2004 goals include:

- Seeding and nurturing two committees that will focus on discovering successful approaches to help employers conquer the diversity-caused challenges of providing safe working conditions and increasing the technical capabilities within their workforces.
- Expanding the CIAC website
- Redoing the 2002 Utah Employer Survey
- Planning and conducting a Cultural Integration Symposium in the fall of 2004
- Launching a new outreach effort where CIAC members will actively seek and provide presentations and facilitate discussions on cultural integration and its importance to Utah and our employers
- Increasing the active participation of Utah employers in CIAC and CIAC's efforts.

Operations and Performance Committee Report - Allan Ayoub

Patrice Spiegel presented an overview of the Approved Training Provider Project. She continued that the training provider list is available on the DWS website. One goal is to set performance measures for these providers. The policy is being updated to add compliance timelines and sanctions for noncompliance. Allan Ayoub reported that Rick Little presented *Outcomes for Programs and Services* at today's meeting. This will allow us to do comparative analysis. Allan continued that the WIA expenditure report was reviewed. As there is concern about expenditures in the regions, a close track will be kept. Other items discussed at today's committee meeting:

- Priority for Services - Allan stated that at the last meeting, ranking services was discussed. To prevent fluctuation, the recommendation is to remain in place statewide.
- The WIA Annual Report - Allan reported that the Feds have made changes to the due date. This Report has not yet been published but is available online.
- WIA Funds - As a follow up from an action item from the October Council meeting about transferring adult training dollars to dislocated worker on an as needed basis, Allan reported that Eastern Region has transferred less than \$1000 in WIA funds from the dislocated worker category to the adult funding category.
- TANF Funds - Allan raised a question concerning tracking allocated funds to TANF customers. He requested an outcome measures report for the monies spent by region. He wants to know what projects have been completed and if they were successful. Jan Zogmaister reported that North region received TANF funds, used an RFP, receives reports from these agencies who are required to provide outcome measures on an ongoing basis. Mike Richardson reported that at the State level, these agencies have been monitored and he has compiled outcomes. This information will become available.
- Veteran's Five-Year Plan - Allan feels that the Veteran's Program Five-Year Plan needs role clarification. Monteen Gordon reported that the only change needed to the Five-Year WIA State Plan is that the roles and responsibilities from the State Veteran's Plan need to be added. This has been done. The Five-Year Plan was submitted prior to this meeting but requires State Council approval. Frank Maughan motioned to approve the Plan as submitted, Richard Winters seconded the motion and the motion carried.

- Allan continued that an issue was raised that Utah is not implementing the Veteran's preference policy. Raylene Ireland responded that it is a matter of State practice to provide Veteran's preference. She will request clarification from the Department of Human Resource Management.
- Andrea Sutton reported that the posting of all State jobs on the DWS web site is being worked and will be available soon.

Follow-Up Action Item: Report on Outcomes for TANF Rainy Day Projects.

Follow-Up Action Item: Report on Veteran's Preference in State agency hiring.

Business Services and Marketing Committee Report - Ken Walker

Ken Walker reported that in today's committee meeting, an overview of the *DWS Business Services Marketing Plan* was presented. Implementation is scheduled for February 1, 2004. This plan targets employers not currently using DWS. Ken continued that the *Business Customers Satisfaction Survey Process Proposal* was also presented today. The new surveys will be standardized and give a more real time look as opposed to results being compared only on an annual basis.

Chris Love reported on the Unemployment Insurance Tax Update. He stated that Utah compares favorably with other states in tax rates. In 2000, the benefit formula was adjusted. For the last few years, Utah employers have had the luxury of low rates. Now, according to this formula, Utah is below the acceptable trust fund balance and the rates have increased. UI has increased staff to answer employer questions. He feels inquiries will increase once the first payments are due in April. He believes employers are contacting their legislators.

Regional Council Chairs Report - Jane Reister-Conard

Jane reported that the B.O.R.N. initiative and Equal Opportunity compliance was discussed in today's committee meeting. The statute creating DWS currently doesn't authorize the removal of State Council members, however, states that three unexcused absences can be cause for removal. Some regional councils report non-participation issues. Sarah reported that other state boards in Utah have removal criteria in their legislation for non-active

members. The committee agreed that, next year, this could be presented as clean up legislation.

Randy Emery recognized former DWS Executive Director, Robert Gross who has been asked to assist in Iraq in setting up a formal labor process. He felt the reason Bob received this recognition was because of the excellence of the Department of Workforce Services and its staff.

Public Comment

Karen Silver, Community Action Program, would like to see a place on the DWS website for feedback on items such as the State Plan. She also recommends that we have a better mechanism for knowing when these plans are due.

Frank Maughan reported that Utah has the highest percentage of reservists on active duty. These Veterans will eventually be returning home and will be looking for jobs.

Lynette Rasmussen reported that the Child Care Annual Report is available to anyone who would like a copy.

The meeting adjourned at 3:10 p.m.

The next meeting is scheduled for April 22, 2004 at the Metro Employment Center in Salt Lake City.

Note from Monteen Gordon:

As requested by Randy Emery, the Minutes will now reflect follow-up action items. See page 6 for an example of this on these Minutes